TL 4502

OMCT
OPERATING THE SOS-TORTURE NETWORK

ORGANISATION MONDIALE CONTRE LA TORTURE
WORLD ORGANIZATION AGAINST TORTURE
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Case IDN/TMP 050597.2
Follow-up Case IDN/TMP 050597 and Case IDN/TMP 050597.1

The International Secretariat has received new information regarding the arrest and detention of 3 East Timorese men in **East Timor**.

Brief reminder of the situation :

On May 5, 1997, the International Secretariat of OMCT was informed by reliable sources of the alleged arbitrary arrest and detention of five East Timorese persons, including Mr. **Felisberto Maria dos Santos**, Mr. **Jose Sobral**, Mr. **Marcelino Fatima dos Santos,** and Mr. **Domingos Laranjeira**. These four persons were arrested on 30 March, 1997, in the sub-district of Atabae, Bobonaro, by members of the SGI (Special Intelligence Unit) and Kopassus (Special Forces Command).

They were traveling on motorbikes when they were stopped at a military checkpoint and arrested. It was believed that they were being held in military custody by the SGI (Special Intelligence Unit) in Dili, but their exact whereabouts remained, up to the date of issue of the appeal, unknown. It was believed that the four men were arrested for their alleged involvement in the clandestine resistance movement in East Timor (See our Appeal Case **IDN/TMP 050597**).

OMCT has already informed that Mr. **Domingos Laranjeira** was later released (See our Appeal Case **IDN/TMP 050597.1**).

According to the same information, Mr. **Edison Marcal Dias Freitas** was also arrested on 21 April, 1997

New information :

The East Timor Human Rights Centre, a member of OMCT network, has informed that Mr. **Felisberto Maria dos Santos**, Mr. **Jose Sobral** and Mr. **Marcelino Fatima dos Santos** were allegedly subjected to arbitrary detention without access to legal representation and that they have been subjected to torture during interrogation. Furthermore, their families has been denied access to them. Mr. **Felisberto Maria dos Santos'** whereabouts are still unknown and it is believed he may still be held incommunicado at an unknown detention center. It is feared that Mr. **Jose Sobral** and Mr. **Marcelino Fatima dos Santos** continue to be detained.

According to the information, while in detention, the above mentioned were interrogated and subjected to electric shocks. On 4 April 1997 the four men were blindfolded and transferred to the Rumah Merah (Red House) in Baucau, a center of detention allegedly to be used as a center of torture. Mr. Felisberto Maria dos Santos was beaten up on the way. On 5 April, Mr. **Felisberto Maria dos Santos**, Mr. **Jose Sobral** and Mr. **Marcelino Fatima dos Santos** were put into a cell together and detained there until May 7 1997. On 7 May Mr. Marcelino Fatima dos Santos was transferred to Kopassus (Special Forces Command) headquarters in Lospalos and the following day Mr. Felisberto Maria dos Santos was transferred to an unknown detention centre. As of December 13, 1997, Mr. Jose Sobral was still in detention at the Rumah Merah in Baucau.

The whereabouts of Mr. **Felisberto Maria dos Santos** remain unknown. No further information as to Mr. Jose Sobral and Mr. Marcelino Fatima dos Santos cases has been made available. Given the circumstances of their arrests and the numerous allegations of torture and other gross violations of human rights in East Timor, OMCT must express its grave concern for the physical and psychological integrity of all detainees in East Timor.

The International Secretariat has not received any further information on Mr. **Edison Marcal Dias Freitas**.

Actions requested:

Please write to the Indonesian authorities urging them to:

i.- guarantee the physical and psychological integrity of Mr. **Felisberto Maria dos Santos**, Mr. **Jose Sobral** and Mr. **Marcelino Fatima dos Santos** and all other detainees held under similar circumstances at all times;

ii.- order their immediate release if they are hold without any valid charges or, in the event that they have been charged, ensure their right to a fair and impartial trial as well as their procedural rights at all times;

ii.- immediately establish the whereabouts of Mr. **Felisberto Maria dos Santos** and confirm whether Mr. **José Sobral** and Mr. **Marcelino Fatima dos Santos** remain in detention;

iv.- carry out a thorough and impartial investigation into the facts alleged in order to identify those responsible, bring them before a competent court and impose upon them the penal, civil and/or administrative sanctions required by law;

v.- bring an immediate end to the use of torture by the Indonesian authorities;

vi.- in general, ensure in all circumstances respect for human rights and fundamental freedoms in accordance with national laws and international standards.

Addresses:

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Please also send appeals to: Diplomatic representatives of Indonesia in your country

Geneva, 6 October 1998

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.